

CHAPTER XII

OF OFFENCES RELATION TO COIN AND GOVERNMENT STAMPS

223. “Coin” defined.- ¹[Coin is metal used for the time being as money, and stamped and issued by the authority of some State of Sovereign Power] in order to be so used.]

Indian coin.-²[Indian coin is metal stamped and issued by the authority of the Government of India in order to be used as money ; and metal which has been so stamped and issued shall continue to be Indian coin for the purposes of this Chapter, notwithstanding that it may have ceased to be used as money .]

Illustrations

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| a) | a) | Cowries are not coin. |
| b) | b) | Lumps of unstamped copper, though used as money, are not coin. |
| c) | c) | Medals are not coin, in as much as they are not intended to be used as money. |
| d) | d) | The coin denominated as the Company’s rupees is ³ Indian coin+. |

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| 1. | 1. | Subs. by Act 19 of 1872, sec.1, or the original first paragraph. |
| 2. | 2. | Subs. by A.O. 1950, for the former paragraph. |
| 3. | 3. | 3. Subs. by the A.O. 1950, for “the Queen’s coin”. |

[⁴(e) The “Farukhabad rupee” which was formerly used as money under the authority of the Government of India is ³[Indian coin] although it is not longer so used].

224. Counterfeiting coin.- Whoever counterfeits or knowingly performs any part of any part of the process of counterfeiting coin, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

Explanation.- A person commits this offence who intending to practise deception, or knowing it to be likely that deception will thereby be practised, caused a genuine coin to appear like a different coin.

CLASSIFICATION OF OFFENCE

Punishment- Imprisonment for 7 years and fine- Cognizable –Non -bailable-Triable by any Magistrate of the first class - Non- compoundable.

225. Counterfeiting Indian coin.- Whoever counterfeits, or knowingly performs any part of the process of counterfeiting ¹[Indian coin], shall be punished with ²[imprisonment for life], or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

CLASSIFICATION OF OFFENCE

Punishment- Imprisonment for life, or imprisonment for 10 years and fine- Cognizable –Non -bailable-Triable by Court of Session- - Non-compoundable.

226. Making or selling instrument for counterfeiting coin.- Whoever makes or mends, or performs any part of the process of making or mending, or buys, sells or

4. Ins. by Act 6 of 1896, sec.1.

1. Subs. by the A.O 1950, for “ the queen’s coin”

2. Subs by Act 26 of 1955,sec.117 and Sch., for “transportation for life”(w.e.f.1-1-1956).

disposes of , any die or instrument , for the purpose of being used, or knowing or having reason to believe that it is intended to be used, for the purpose of counterfeiting coin, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

CLASSIFICATION OF OFFENCE

Punishment- Imprisonment for 3 years and fine- Cognizable –Non -bailable-Triable by any Magistrate of the first class - Non-compoundable.

227. Making or selling instrument for counterfeiting Indian coin.- Whoever makes or mends, or performs any part of the process of making or mending, or buys, sells or disposes of , any die or instrument, for the purpose of being used, or knowing or having reason to believe that it is intended to be used, for the purpose of counterfeiting ¹[Indian coin], shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

CLASSIFICATION OF OFFENCE

Punishment- Imprisonment for 7 years and fine- Cognizable –Non -Bailable-Triable by any Magistrate of the first class - Non-compoundable.

228. Possession of instrument or material for the purpose of using the same for counterfeiting coin.-

Whoever is in possession of any instrument or material, for the purpose of using the same for counterfeiting coin, or knowing or having reason to believe that the same is intended to be used for that purpose, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine;

fine Indian coin.- and if the coin to be counterfeited is ²[Indian coin], shall be

1. Subs. by the A.O 1950, for “ the queen’s coin”
2. Subs by Act 26 of 1955, sec.117 and Sch., for “transportation for life”(w.e.f.1-1-1956).

punished with imprisonment of either description for a term which may extend to ten years also be liable to fine;

CLASSIFICATION OF OFFENCE

Para I : Punishment- Imprisonment for 3 years, or fine -Cognizable –Non-bailable-Triable by any Magistrate- Non-compoundable.

Para II: Punishment -Imprisonment for 10 years and fine -Cognizable – Non-bailable-Triable by Court of Session -Non-compoundable.

229. Abetting in India the counterfeiting out of India of coin.- Whoever, being within 1[India], abets the counterfeiting of coin out of 1[India] shall be punished in the same manner as if he abetted the counterfeiting of such coin within 1[India].

CLASSIFICATION OF OFFENCE

Punishment- The punishment provided for abetting the counterfeiting of such coin within India- Cognizable –Non -Bailable-Triable by Court of Session-Non-compoundable.

230. Import or export of counterfeit coin.- Whoever imports into 1[Indian], or exports therefrom, any counterfeit coin, knowing or having reason to believe that the same is counterfeit, shall be punished with imprisonment of either description for a term which may extend to three years, and shall be liable to fine.

CLASSIFICATION OF OFFENCE

Punishment- Imprisonment for 3 years and fine- Cognizable –Non -bailable-Triable by Magistrate of the first class - Non- compoundable.

231. Import or export of counterfeits of the India coin.- Whoever imports into¹[India], or exports there from, any counterfeit coin, which he knows or has reason to believe to be a counterfeit or ²[Indian coin], shall be punished with imprisonment with ³[imprisonment for life], or with imprisonment of either description for a term which may extend to ten years and shall also be liable to fine.

CLASSIFICATION OF OFFENCE

Punishment- Imprisonment for life , or imprisonment for 10 years and fine- Cognizable –Non -bailable-Triable by Court of Session - Non-compoundable.

232. Delivery of coin, possessed with knowledge that it is counterfeit.- Whoever, having any counterfeit coin, which at the time when he became possessed of it knew to be counterfeit, fraudulently or with intent that fraud may be committed, delivers the same to any person, or attempts to induce any person to receive it shall be punished with imprisonment of either description for a term which may extend to five years, and shall also be liable to fine.

CLASSIFICATION OF OFFENCE

Punishment- Imprisonment for 5 years and fine- Cognizable –Non -bailable-Triable by any Magistrate of the first class - Non-compoundable.

233. Delivery of Indian coin, possessed with knowledge that it is counterfeit.- Whoever, having any counterfeit coin which is a counterfeit of ²[Indian coin], at the time when he became possessed of it, he knew to be a counterfeit of ²[Indian coin], fraudulently or with intent that fraud may be committed, delivers the same to any person, or attempts to induce any person to receive it shall be punished with imprisonment of

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1. 1. The words "British Indian" have successively been subs. by the A.O. 1948, the A.O 1950 and Act 3 of 1951, sec 3 and Sch to read as above.
 2. 2. Subs. by the A.O. 1950 or "Queen's coin".
 3. 3. Subs. by Act 26 of 1955, sec.117 and Sch., for "transportation for life"(w.e.f.1-1-1956)

Either description for a term which may extend to ten years, and shall also be liable to fine.

CLASSIFICATION OF OFFENCE

Punishment- Imprisonment for 10 years and fine- Cognizable –Non -bailable-Triable by Court of Session - Non-compoundable.

234. Delivery of coin as genuine, which when first possessed , the deliverer did not know to be counterfeit.- Whoever delivers to any other person as genuine, or attempts to induce any other person to receive as genuine, any counterfeit coin which he knows to be counterfeit, but which he did not know to be counterfeit at the time when he took it into his possession, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine to an amount which may extend to ten times the value of the coin counterfeited, or with both.

Illustration

A, a coiner, delivers counterfeit Company's rupees to his accomplice B, for the purpose of uttering of uttering them. B sells the rupees for goods to D, who receives them, not knowing them to be counterfeit .D, after receiving the rupees, discovers that they are counterfeit and pays them away as if they were good. Here D is punishable only under this section, but B and C are punishable under section 239 or 240, as the case may be.

CLASSIFICATION OF OFFENCE

Punishment- Imprisonment for 2 years and fine or 10 times the value of the coin counterfeited, or both- Cognizable –Non -bailable-Triable by any Magistrate- Non-compoundable.

235. Possession of counterfeit coin by person who knew it to be counterfeit when he became possessed thereof.- Whoever, fraudulently or with intent that fraud may be committed, is in possession of counterfeit coin, having known at the time when he became possessed thereof that such coin was counterfeit, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

CLASSIFICATION OF OFFENCE

Punishment- Imprisonment for 3 years and fine - Cognizable –Non -bailable-Triable by any Magistrate of the first class - Non-compoundable.

236. Possession of Indian coin by person who knew it to be counterfeit when he became possessed thereof .- Whoever, fraudulently or with intent that fraud may be committed, is in possession of

counterfeit coin, which is a counterfeit of ¹[Indian coin], having known at the time when he became possessed of it that it was counterfeit, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall be liable to fine

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1. Subs. by the A.O. 1950, for “ the Queen’s coin” .

CLASSIFICATION OF OFFENCE

Punishment- Imprisonment for 7 years and fine Cognizable –Non –bailable-Triable by any Magistrate of the first class- Non- compoundable.

237. Person employed in mint causing coin to be of different weight or composition from that fixed by law.- Whoever, being employed in any mint lawfully established in ¹[India]. Does any act, or omits what he is legally bound to do, with the intention of causing any coin issue from that mint to be of a different weight or composition from the weight or composition fixed by law, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

CLASSIFICATION OF OFFENCE

Punishment- Imprisonment for 7 years and fine Cognizable –Non -bailable-Triable by any Magistrate of the first class- Non- compoundable.

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1. The words “British India” have successively been subs. by the A.O. 1948, the A.O. 1950 and Act 3 of 1951, sec. 3 and Sch. to read as above.

238. Unlawfully taking coining instrument from mint.- Whoever, without lawful authority takes out of any mint, lawfully established in ¹[Indian]. Any coining tool or instrument, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall be liable to fine.

CLASSIFICATION OF OFFENCE

Punishment- Imprisonment for 7 years and fine Cognizable –Non –bailable-Triable by any Magistrate of the first class- Non-compoundable.

239. Fraudulently or dishonestly diminishing weight or altering composition of coin.- Whoever fraudulently or dishonestly performs on any coin any operation which diminishes the weight or alters the composition of that coin, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

Explanation.- A person who scoops out part of the coin and puts anything else into the cavity alters the composition of that coin.

CLASSIFICATION OF OFFENCE

Punishment- Imprisonment for 3 years and fine- Cognizable –Non –bailable-Triable by any Magistrate of the first class- Non-compoundable.

240. Fraudulently or dishonestly diminishing weight or altering composition of Indian coin.- Whoever fraudulently or dishonestly performs on ²[any Indian coin] any operation which diminishes the weight or alters the composition of that coin, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall be liable to fine.

CLASSIFICATION OF OFFENCE

Punishment- Imprisonment for 7 years and fine Cognizable –Non –bailable-Triable by any Magistrate of the first class- Non-compoundable.

2. Subs. by the A.O. 1950, for “any of the Queen’s coin”.

241. Altering appearance of coin with intent that it shall pass as coin of different description.- Whoever performs on any coin any operation which alters the appearance of that coin, with the intention that the said coin shall pass as a coin shall pass as a coin of a which may extend to three years, and shall also be liable to fine.

CLASSIFICATION OF OFFENCE

Punishment- Imprisonment for 3 years and fine Cognizable –Non –bailable-Triable by any Magistrate of the first class- Non-compoundable.

242. Altering appearance of Indian coin with intent that it shall pass as coin of different description.-

Whoever performs on 1[any Indian coin] any operation which alters the appearance of that coin, with the intention that the said coin shall pass as a coin of a different description, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall be liable to fine.

CLASSIFICATION OF OFFENCE

Punishment- Imprisonment for 7 years and fine Cognizable –Non –bailable-Triable by Magistrate of the first class- Non-compoundable.

243. Delivery of coin, possessed with knowledge that it is altered.- Whoever, having coin in his possession with respect to which the offence defined in section 246 or 248 has been committed, and having known at the time when he became possessed of such coin that such offence had been committed with respect to it, fraudulently or with intent that fraud may be committed , delivers such coin to any other person, or attempts to induce any other person to receive the same , shall be punishable with imprisonment of either description for a term which may extend to five years, and shall also be liable to fine.

CLASSIFICATION OF OFFENCE

Punishment- Imprisonment for 5 years and fine Cognizable –Non -bailable-Triable by any Magistrate of the first class- Non-compoundable.

244. Delivery of coin, possessed with knowledge that it is altered.- Whoever, having coin in his possession with respect to which the offence defined in section 247 or 249 has been committed, and having known at the time when he became possessed of such coin that such offence had been committed with respect to it, fraudulently or with intent that fraud may be committed, delivers such coin to any other person, or attempts to induce any other person to receive the same, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

CLASSIFICATION OF OFFENCE

Punishment- Imprisonment for 10 years and fine Cognizable –Non -bailable-Triable by Court of Session - Non-compoundable.

245. Possession of coin by person who knew it to be altered when he became possessed thereof.

Whoever, fraudulently or with intent that fraud may be committed is in possession of coin with respect to which the offence defined in either of the section 246 or 248 has been committed, having known at the time of becoming possessed thereof that such offence had been committed with respect with respect to such coin, shall be punished with imprisonment of either description of either description for a term which may extend to three years, and shall, also be liable to fine.

CLASSIFICATION OF OFFENCE

Punishment- Imprisonment for 3 years and fine Cognizable –Non -bailable-Triable by any Magistrate of the first class- Non-compoundable.

246. Possession of Indian coin by person who knew it to be altered when he became possessed thereof.- Whoever, fraudulently or with intent that fraud may be committed, is in possession of coin with respect to which the offence define in either of the section 247 or 249 has been committed, having known at the time of becoming possessed thereof, that such offence had been committed with respect to such coin, shall be punished with imprisonment of either description for a term which may extend to five years, and shall also be liable to fine.

CLASSIFICATION OF OFFENCE

Punishment- Imprisonment for 5 years and fine Cognizable –Non –bailable-Triable by any Magistrate of the first class- Non-compoundable.

247. Delivery of coin as genuine, which, when first possessed, the delivered did not know to be altered.- Whoever delivers to any other person as genuine or as a coin of a different description from what it is, or attempts to induce any person to receive as genuine, or as a different coin from what it is, any coin in respect of which he knows that any such operation as that mentioned in section 246, 247, 248 or 249 has been performed, but in respect of which he did not, at the time when he took it into his possession, know that such operation had been performed, shall be punished with imprisonment of either description for a term which may extend to two years or with fine to an amount which may extend to ten times the value of the coin for which the altered coin is passed, or attempted to be passed.

CLASSIFICATION OF OFFENCE

Punishment- Imprisonment for 2 years and fine, or 10 times the value of the coin Cognizable – Non –bailable-Triable by any Magistrate - Non-compoundable.

248. Counterfeiting Government stamp.- Whoever counterfeits, or knowingly performs any part of the process of counterfeiting, any stamp issued by Government for the purpose or revenue shall be punished with ¹[imprisonment for life], or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

Explication.- A person commits this offence who counterfeits by causing a genuine stamp of one denomination to appear like a genuine stamp of a different denomination.

CLASSIFICATION OF OFFENCE

Punishment- Imprisonment for life, or imprisonment for 10 years and fine Cognizable –Non –bailable-Triable by Court of Session- Non-compoundable.

1. Subs. by Act 26 of 1955, sec.117 and Sch ., for “transporation for life” (w.e.f.1-1-1956).

249. Having possession of instrument or material for counterfeiting Government stamp.- Whoever has in his possession any instrument or material for the purpose of being used, or knowing or having reason to believe that it is intended to be used, for the purpose of counterfeiting any stamp issued by Government for the purpose or revenue shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

CLASSIFICATION OF OFFENCE

Punishment- Imprisonment for 7 years and fine Cognizable –Non –bailable-Triable by any Magistrate of the first class- Non-compoundable.

250. Making or selling instrument for counterfeiting Government stamp.- Whoever makes or performs any part or the process of making, or buying, or sells, or disposes of, any instrument for the purpose of counterfeiting any stamp issued by Government for the purpose of revenue, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

CLASSIFICATION OF OFFENCE

Punishment- Imprisonment for 7 years and fine Cognizable –Non –bailable-Triable by any Magistrate of the first class- Non-compoundable.

251. Sale of counterfeit Government stamp.- Whoever, sells , or offers for sale, any stamp which he knows or has reason to believe to be a counterfeit of any stamp issued by Government for the purpose of revenue, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

CLASSIFICATION OF OFFENCE

Punishment- Imprisonment for 7 years and fine Cognizable –Non –bailable-Triable by any Magistrate of the first class- Non-compoundable.

252. Having possession of counterfeit Government stamp.- Whoever has in his possession any stamp which he knows to be a counterfeit of any stamp issued by Government for the purpose of revenue, intending to use, or dispose of the same as a genuine stamp, or in order that it may be used as a genuine stamp, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

CLASSIFICATION OF OFFENCE

Punishment- Imprisonment for 7 years and fine Cognizable -Bailable-Triable by Magistrate of the first class- Non- compoundable.

253. Using as genuine a Government stamps known to be a counterfeit.- Whoever uses as genuine any stamp, knowing it to be counterfeit of any stamp issued by Government for the purpose of revenue, shall be punished with imprisonment of either description for a term which may be extend to seven years, or with fine, or with both.

CLASSIFICATION OF OFFENCE

Punishment- Imprisonment for 7 years and fine Cognizable -Bailable-Triable by Magistrate of the first class- Non- compoundable.

254. Effacing writing from substance bearing Government stamp, or removing from document a stamp used for it, with intent to cause loss to Government.- Whoever, fraudulently or with intent to cause loss to the Government , removes or effaces from any substance, being any stamp issued by government for which such stamp has been used for such writing or document, in order that such stamp may be used for a different writing or document, shall be punishable with imprisonment of either description for a term which may extend to three years , or with fine, or both .

CLASSIFICATION OF OFFENCE

Punishment- Imprisonment for 3 years and fine Cognizable -Bailable-Triable by Magistrate of the first class- Non- compoundable.

255. Using Government stamp known to have been before used.- Whoever fraudulently or with intent to cause loss to Government, uses for any purpose a stamp issued by Government for the purpose of

revenue, which he knows to have been before used , shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

CLASSIFICATION OF OFFENCE

Punishment- Imprisonment for 2 years or fine, or both-Cognizable -Non-bailable-Triable by Magistrate of the first class- Non- compoundable.

256. Erasure of mark denoting that stamp has been used.- Whoever, fraudulently or with intent to cause loss to Government, erases or removes from a stamp issued by the Government for the purpose of revenue, any mark, such mark has been erased or removed, or sells or disposes of any such stamp which he knows to have been used, shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.

CLASSIFICATION OF OFFENCE

Punishment- Imprisonment for 3 years and fine Cognizable -Bailable-Triable by Magistrate of the first class- Non- compoundable.

¹[263A. Prohibition of fictitious stamps.- (1) Whoever-

- (a) (a) makes, knowingly utters, deals in or sells any fictitious stamps, or knowingly uses for any postal purpose any fictitious stamps, or
- (b) (b) has in his possession, without lawful excuse, has in his possession any die, plate, instrument or materials for making any fictitious stamps,
- (c) (c) shall be punished with fine which may extend to two hundred rupees.

1. Ins. by Act 3 of 1895, sec.2.

(2) Any such stamps, die, plate, instrument or materials in the possession of any person for making any fictitious stamp ¹[may be seized] shall be forfeited.

(3) In this section "fictitious stamp" means any stamp by the Government for the purpose of denoting a rate of postage, or any facsimile or imitation or representation, whether on paper or otherwise, or any stamp issued by Government for that purpose.

(4) In this section and also in sections 255 to 263, both inclusive, the word "Government", when used in connection with, or in reference to, any stamp issued for the purpose of denoting a rate of postage, shall, notwithstanding

1. Subs. by Act 42 of 1953, sec. 4 and Sch.III.

any thing in section 17, be deemed to include the person or persons authorized by law to administer executive government in any part of India, and also in any part of Her Majesty's dominions or in any foreign country.]

CLASSIFICATION OF OFFENCE

Punishment- Fine of 200 rupees - Cognizable - Non-bailable-Triable by any Magistrate - Non-compoundable.